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JUDY S. WONG

VIA FACSIMILE

Judge Richard Berman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Cruz, et al. v. Independent Testing, 07 Civ. 6394 (RMB)

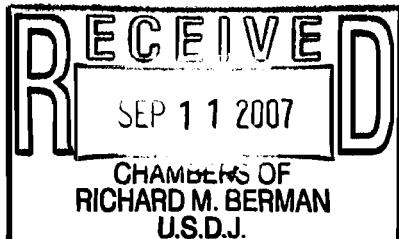
Dear Judge Berman:

This firm represents the plaintiff trustees in the above-referenced matter. Your Honor previously scheduled a conference on September 12, 2007 at 9:00 a.m. I write seeking an adjournment of tomorrow's conference.

Please be advised that due to a scheduling conflict, I am unable to attend tomorrow's conference and have asked my associate, Kellie Walker to cover this conference. However, Ms. Walker is unexpectedly out sick. She has strep throat and is unable to return to work tomorrow. We apologize for submitting this request on such short notice. Ms. Walker was uncertain until this afternoon as to whether she would be capable to return to work tomorrow.

Moreover, it is my understanding that the parties are in the midst of settlement discussions and would need additional time to reach a resolution.

Therefore, on mutual consent, the parties respectfully request that the Court adjourn the September 12, 2007 conference until a short period of time due to my unavailability and Ms. Walker's illness.



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NOT

*Adjourned to*  
September 11, 2007  
*9/24/07 @ 9:30 AM*

**SO ORDERED:**  
**Date: 9/11/07** *Richard M. Berman*  
**Richard M. Berman, U.S.D.J.**

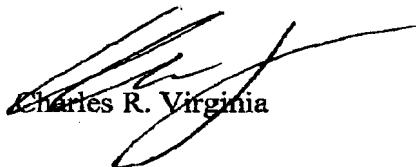
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-2-

September 11, 2007

Thank you for your attention.

Very truly yours,



The image shows a handwritten signature in black ink, which appears to be "Charles R. Virginia". The signature is fluid and cursive, with the name clearly legible.

cc: Allen Breslow, Esq.